

Introduced by Senator Walters

February 17, 2011

An act relating to government liability.

LEGISLATIVE COUNSEL'S DIGEST

SB 587, as introduced, Walters. Government tort claims: charter schools.

Existing law governs the tort liability and immunity of, and claims and actions against, public entities and their officers and employees. A public entity, as defined, is not liable for an injury, except as otherwise provided by statute, whether the injury arises out of an act or omission of the public entity or a public employee or any other person.

Existing case law provides that a charter school operated independently from the school district by a nonprofit corporation is not a public entity for purposes of the provisions described above.

This bill would declare the intent of the Legislature to enact legislation that would provide charter schools with the same immunities and protections from liability that public schools currently enjoy.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation that would provide charter schools with the same
- 3 immunities and protections from liability that public schools
- 4 currently enjoy.

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